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PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0285

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Michael S. H. CHU ) Group Art Unit: 3731  
Serial No.: 10/000,325 ) Examiner: M. H. THALER  
Filed: December 4, 2001 ) Confirmation No.: 3731  
For: ENDOSCOPIC APPARATUS AND )  
METHOD )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated April 30, 2004, the Examiner required restriction under 35 U.S.C. § 121 between:

- I. Claims 1-39 allegedly drawn to an endoscopic device; and
- II. Claims 40-60 allegedly drawn to a method of performing an operative procedure.

Applicant provisionally elects to prosecute Group I, claims 1-39 allegedly drawn to an endoscopic device, without traverse.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 25, 2004

By: 

Michael W. Kim  
Reg. No. 51,880